

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

STEPHEN R. DUDERSTADT,	:	
	:	
Plaintiff,	:	Case No. 3:13cv00302
	:	
vs.	:	
	:	District Judge Walter Herbert Rice
CAROLYN W. COLVIN,	:	Chief Magistrate Judge Sharon L. Ovington
Acting Commissioner of the Social	:	
Security Administration,	:	
	:	
Defendant.	:	

DECISION AND ENTRY

The Court has conducted a de novo review of the Report and Recommendations of Chief United States Magistrate Judge Sharon L. Ovington (Doc. #19), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations filed on December 29, 2014 (Doc. #19) is adopted in full;
2. The parties' Stipulation for Award of Attorney Fees under the Equal Access to Justice Act (Doc. #18) is accepted, and Defendant is directed to pay Plaintiff's attorney fees under 28 U.S.C. §2412 in the total amount of \$5,650.00;
3. The parties' counsel shall verify, **within thirty days** of this Decision and Entry, whether or not Plaintiff owes a pre-existing debt to the United States

subject to offset. If no such pre-existing debt exists, Defendant's agreement to pay the EAJA award directly to Plaintiff's attorney is accepted; and,

4. The case remains terminated on the docket of this Court.

A handwritten signature in black ink, appearing to read "Walter Herbert Rice", is positioned above a horizontal line.

Walter Herbert Rice
United States District Judge